

CHAPTER 56
BURIAL BENEFITS

[Prior to 7/1/83, Social Services[770] Ch 56]
[Prior to 2/11/87, Human Services[498]]

PREAMBLE

This chapter establishes the application process, eligibility criteria, and the procedures for obtaining payment for burial benefits for certain categorically eligible recipients.

441—56.1(239,249) Application. An application for burial benefits shall be filed at a local or area office of the department by the person responsible for making funeral arrangements for the deceased. An application may also be filed directly with an income maintenance worker at any departmental satellite office. The procedure listed below shall be followed.

56.1(1) Application shall be made on Form PA-5301-0, Application for Burial Benefits.

56.1(2) An application for burial benefits shall be filed within 15 calendar days of the date of death.

56.1(3) The decision to approve or deny the application shall be made and the notice mailed or given to the applicant and the funeral director within five working days of the date the application is filed.

This rule is intended to implement Iowa Code sections 239.9 and 249.9.

441—56.2(239,249) Categorical eligibility. The following categories of people may be eligible for burial benefits:

56.2(1) Recipients of state supplementary assistance during the month of death.

56.2(2) Recipients of old age assistance, aid to the blind, and aid to the disabled prior to January 1, 1974.

56.2(3) Children who are eligible for aid to dependent children or refugee cash assistance in the form of a money payment. This includes:

a. A child receiving aid to dependent children or refugee assistance during the month of death.

b. A child for whom an aid to dependent children assistance grant or refugee cash assistance grant has been approved, but on whose behalf an assistance check has not yet been issued.

c. A newborn or stillborn child who would have otherwise been found eligible for an aid to dependent children grant or refugee cash assistance grant except there has not been sufficient time to add the child to the eligible group of an active aid to dependent children or refugee cash assistance case.

d. A child born to an eligible child in an active aid to dependent children case who would have been eligible for aid to dependent children as the child of an underage payee, except there has not been sufficient time to approve the case.

This rule is intended to implement Iowa Code sections 239.9 and 249.9.

441—56.3(239,249) Determination of benefit amount. The department shall pay up to \$400 toward the burial of categorically eligible persons according to the formula outlined below:

56.3(1) Resources other than the death benefits described in subrule 56.3(2) and prepaid burial contracts of the decedent or available to the decedent's estate or beneficiary shall first be applied to the cost of the burial. If funds from these sources are not sufficient to pay the full cost of the burial, the remaining unpaid balance shall be considered for payment through the department's burial benefit program up to a maximum of \$400.

56.3(2) The department's liability shall be reduced by applying against the \$400 maximum or remaining balance from subrule 56.3(1), whichever is less, any benefits due the decedent's estate or beneficiary as a result of the death of the decedent as outlined in Iowa Code sections 239.9(2) and 249.9(2).

This rule is intended to implement Iowa Code sections 239.9 and 249.9.

441—56.4(239,249) Claim for payment. A vendor's claim for payment for burial services shall be filed at the local office of the department as follows:

56.4(1) The claim shall be filed on Form AA-4149-0, Burial Claim, within 90 days of the date of interment.

56.4(2) When more than one person or firm has rendered service in caring for or burying the body of the deceased, the claim shall be submitted and signed by only one person or firm. That person or firm shall be responsible for reimbursing the other parties involved.

This rule is intended to implement Iowa Code sections 239.9 and 249.9.

[Filed May 3, 1974]

[Filed 2/25/77, Notice 1/12/77—published 3/23/77, effective 4/27/77]

[Filed emergency 6/28/78—published 7/26/78, effective 7/1/78]

[Filed emergency 6/26/79—published 7/25/79, effective 7/1/79]

[Filed 12/5/79, Notice 10/3/79—published 12/26/79, effective 2/1/80]

[Filed emergency 6/30/81—published 7/22/81, effective 7/1/81]

[Filed 11/20/81, Notice 9/16/81—published 12/9/81, effective 1/13/82]

[Filed emergency 6/17/83—published 7/6/83, effective 7/1/83]

[Filed emergency 6/15/84—published 7/4/84, effective 7/1/84]

[Filed emergency 1/15/87—published 2/11/87, effective 1/15/87]

[Filed 3/3/87, Notice 12/17/86—published 3/25/87, effective 5/1/87]

[Filed 1/17/91, Notice 12/12/90—published 2/6/91, effective 4/1/91]

[Filed without Notice 9/18/91—published 10/16/91, effective 11/21/91]

[Filed emergency 10/10/91—published 10/30/91, effective 11/21/91]

[Filed 1/29/92, Notice 10/16/91—published 2/19/92, effective 3/25/92]